



# TOWN OF LOOMIS

## ACTION MINUTES REGULAR MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

[www.loomis.ca.gov](http://www.loomis.ca.gov)

**TUESDAY**

**APRIL 10, 2012**

**6:30 P.M.**

**CLOSED SESSION** – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

- a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR.** Pursuant to Section 54956.9 of the Government Code:  
**Property:** APN 044-133-002, 3790 Taylor Road (currently leased to High Hand Nursery)  
**Negotiator:** Rick Angelocci, Town Manager  
**Under Negotiation:** Price and term

- b. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Pursuant to subdivision (a) of Section 54956.9 of the Government Code:  
Case #SCV0030849, David J. Larsen v Town of Loomis

- a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Pursuant to Section 54957.6 of the Government Code: Town Manager Evaluation Form

**TUESDAY**

**APRIL 10, 2012**

**7:30 P.M.**

### CALL TO ORDER

Call to order at 7:30 p.m. by Mayor Calvert.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Present:

Mayor Calvert  
Councilmember Liss  
Councilmember Morillas  
Councilmember Scherer  
Councilmember Ucovich

### STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action taken.  
b. No action taken.  
c. No action taken.

### RECOGNITIONS/PROCLAMATION

Nancy Beck

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a three-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item. Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes.

Wendy Steinmetz, 6400 Wells Avenue, stated the following:

- presented a letter requesting support in opposing the New Dawn Recovery Center that is currently planned for at 6380 Wells Avenue in Loomis
- the New Dawn Recovery Center is a multi-facility chain of centers and they are using the State Statute to create a destination-type facility that is not being built with the intention to serve our local Loomis community needs
- she asked Council to join their opposition based on the adverse impact the commercial facility will have on their neighborhood

David Kindelt, 6370 Wells Avenue, stated the following:

- he lives close to the proposed New Dawn Recovery Center
- he requested that when the application comes forward for Town staff review and approval to take in consideration the unique area that is built on a hillside with one way in and one way out and how a six bed commercial care facility will impact the area more than a single family residence

Billy Crowley, Billy's Great Buns on Taylor Road, stated she would like the speed limit on Taylor Road lowered and bike lanes painted.

Bill Branch, 6605 Wells Avenue, stated the following:

- he knows of two other families as well as his own that have concerns about the New Dawn Recovery Center and that it is a chain operation that is going into a residential area
- they would like to know more about what it entails, who is going to build it, and what it will mean to the neighborhood
- he understands that this is under County jurisdiction but asked if the Town could communicate to the residents any information they can find out with the County regarding this

Jenny Knisley, 4135 Hunters Drive, stated the following:

- announced that there will be a talent show, "Loomis Has Talent"
- there will be 15 different venues around the Town of Loomis to promote getting people to come out
- they will have different categories and online voting on Facebook at [www.loomischamber.com](http://www.loomischamber.com)

**ADOPTION OF AGENDA:** Council will typically adopt the agenda in the order listed or modify the order in a way that can best accommodate the time of people in attendance who wish to speak on particular items.

A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda, pulling item 8 forward for discussion. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

## CONSENT AGENDA

## RECOMMENDED ACTION

- |   |                                      |
|---|--------------------------------------|
| 1. Council Minutes – 2/14/12  | APPROVE                              |
| 2. Monthly Check Register – February  | RECEIVE AND FILE                     |
| 3. Statement of Activity  | RECEIVE AND FILE                     |
| 4. Treasurer's Report   | RECEIVE AND FILE                     |
| 5. Planning Status Report   | RECEIVE AND FILE                     |
| 6. 2012/2013 Goals Update   | RECEIVE AND FILE                     |
| 7. <u>Naming the Blue Anchor Multi-Use Plaza</u><br>A resolution of the Town Council of the Town of Loomis approving the naming of the Blue anchor Multi-Use Plaza to be The Nancy Beck Multi-Use Plaza | ADOPT RESOLUTION<br>Resolution 12-05 |

9. Participation in the Employment Risk Management Authority  
A resolution of the Council of the Town of Loomis authorizing  
Participation in the Employment Risk Management Authority

**ADOPT RESOLUTION**  
**Resolution 12-07**

## CONSENT ITEMS FORWARDED

8. Taylor Road Pedestrian & Bike Pathway Project  
A resolution of the Council of the Town of Loomis awarding  
To low bidder, RSC General & Engineering, Inc. and authorizing  
Town Manager to execute an agreement acceptable to the  
Town Attorney for the Taylor Road Pedestrian & Bike  
Pathway Project in the amount not to exceed of \$99,641.50

**ADOPT RESOLUTION**

Brian Frাগiao, Town Engineer/Public Works Director, stated the following:

- he received a letter this afternoon from the second low bidder who is protesting the low bid
- they all had informalities on their bid package and expounded on each one

Rick Spaulding, with RSC General & Engineering, stated the following:

- if you put it back out to bid again then all of the work that has been done will be public knowledge and will mess it up for the next bid
- they get their information from the Builders Exchange and the day they received the information he came to Town Hall for the bid package
- because of the lack of time they directly emailed all the UDBE contractors that are in the database and called them

JoAnn Spaulding, with RSC General & Engineering, stated the following:

- she did the outreach on this, emailed all, and personally called
- she made a valiant effort to find UDBE contractors but didn't find anyone that was interested
- they made efforts to break the work down, they offered assistance, bonding insurance, getting equipment and whatever they require but still there was no response

Gary Easley, All Phase Construction, stated the following:

- he submitted the protest letter and they were also the second place bidder
- he turned in a packet to the UDBE outreach that was done by RSC but the information was turned in such a short time
- the low bidder did not send a proposal on addendum #2 bid sheet as instructed

Following further discussion on the matter, a motion was made to adopt Resolution 12-06, awarding to low bidder, RSC General & Engineering, Inc. and authorizing Town Manager to execute an agreement acceptable to the Town Attorney for the Taylor Road Pedestrian & Bike Pathway Project in the amount not-to-exceed of \$99,641.50. On motion by Councilmember Liss, seconded by Councilmember Scherer and passed by voice vote with Councilmember Ucovich voting no (4/1).

## PUBLIC HEARING

10. Revision to Animal Keeping Ordinance

At the January 10, 2012 meeting, Council directed staff to bring back the Animal Keeping Ordinance for a potential revision to Section 13.42.060

**Recommended action:** Hear staff report, take public comment and introduce ordinance  
Amending current animal keeping standards for first reading

**Public comment:**

Jean Wilson, 4301 Barton Road, stated the following:

- under Note (7), she understood that this was only for small things like chicken coops, small animal enclosures for goats
- this would also allow a barn or large animal structures on the lot line
- there are reasons for having setbacks, she wouldn't want a barn on her property line
- she requested Council to consider removing (7) under Minimum Setbacks and putting it instead under "fowl and poultry" after (5) and perhaps  
after "household pets and animals," and after "Aviary"
- and suggested adding in Note (7) instead of the "lot size" add "lot and structure size" as a consideration

Cindy Walden, 3457 Humphrey Road, stated that she agrees with Ms. Wilson's changes.

Roger Smith, 6755 Wells Avenue, stated he also agrees with Ms. Wilson's comments and suggestions.

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 250, amending Section 13.42.060 of the Municipal Code relating to Animal Keeping Standards and approving all of the changes that are in red and to add under Note (7) "lot and structure size." On motion by Councilmember Liss, seconded by Councilmember Scherer and passed by voice vote with Councilmember Ucovich voting no (4/1).

## BUSINESS

### 11. Pierre Beauchamp Aquaponics Project Presentation

Pierre Beauchamp, a Sophomore at Del Oro High School, has requested the assistance and financial support of the Town for development of an Aquaponic operation at Del Oro High School

**Recommended action:** Hear presentation, discuss request and approve financial support in the amount of \$1,000 from the Town toward the project should Mr. Beauchamp still require it  
**Public comment:**

Pierre Beauchamp, a sophomore at Del Oro High School, requested financial support in the amount of \$1,000 for the development of an Aquaponic operation at Del Oro High School, gave a presentation and answered questions.

No public comment.

Following further discussion on the matter, a motion was made to approve financial support in the amount of \$1,000 towards the development of an Aquaponic operation at Del Oro High School. On motion by Councilmember Liss, seconded by Councilmember Morillas and passed by voice vote.

### 12.. Healthy Eating Active Living Resolution

At the March 13, 2012 meeting Council directed staff to bring a revised resolution back which reflects the public concerns and is more tailored to Loomis

**Recommended action:** Take public comment, and adopt resolution supporting healthy eating and active living as amended

**Public comment:**

The following citizens were against the adoption of a Healthy Eating Active Living Resolution:

Debbie Shores, 9291 Tanglewood Way, Loomis  
Sonja Cupler, 5630 Tudor Way, Loomis  
Brian Baker, 6025 Arcadia Avenue, Loomis  
Lois Engle, 3617 Del Mar Avenue, Loomis  
Tony Lobosky, lives in Newcastle  
Russ Kelley, 4250 Barton Road, Loomis  
Bob Rhodes, 5920 Becky Way, Loomis  
George Shaw, 3945 Taylor Road, Loomis  
Hazel HineLine, Barker Road, Loomis  
Tom Neves 6053 Thornwood Drive, Loomis  
Brandon Touie, 8235 Granada Lane, Loomis

The following supports the adoption of a Healthy Eating Active Living Resolution:

Jeff Bordelon, 6316 Wells Avenue, Loomis  
JoAnn Neft, lives in Auburn and involved in the Placer County Farmer's Market  
Jerome Bouchand, 3301 Nancy Drive in Auburn

Pat Brechtal, 3330 Spence Road in Loomis, suggested just staying with the Master Plan and putting in walkways, etc.

Bill Branch, 6605 Wells Avenue, pointed out that he was neutral on this item, this is more of a feel good resolution, too much time has been spent on it and Council needs to move on.

Kinat Tibet, represents the Heal Cities Campaign, stated the following:

- he worked for the California League of Cities
- the resolution is completely up to the Town, it has no hidden agenda, it deals with a problem our children are facing
- since 1963 obesity has quadrupled and that leads to major health issues
- this is a proclamation about the environment in which the kids can be more active and have access to healthy food

Following further discussion on the matter, a motion was made to table the resolution. On motion by Councilmember Morillas, seconded by Councilmember Scherer and passed by voice vote (5/0).

Recess at 9:25 p.m. to 9:31 p.m.

At this time Council discussed item 14.

13. **Recreation Task Force Discussion**

Mayor Calvert has requested discussion and direction given to staff for the creation of a Recreation Task Force that was adopted as part of Goal 1 of the Town's adopted 2012/2013 Goals

**Recommended action:** Approve the establishment of a Recreation Task Force of the Parks, Recreation and Open Space Committee (PROSC) and direct PROSC to designate the Recreation Task Force at their next regularly scheduled meeting

**Public comment:**

Continued to the May 8, 2012 Council meeting

14. **November, 2012 Ballot Measure/Initiative For Support Of Del Oro Aquatic Center**

At the March 13, 2012 meeting Councilmember Scherer requested Council discuss a possible ballot measure for funding the Del Oro Aquatic Center

**Recommended action:** Discuss and direct staff and Town Attorney to draft options for a Parcel Tax, Sales Tax, and or Lighting and Landscaping Assessment District and to return to the May , 2012 Council meeting for action

**Public comment:**

Council discussed this item after item 12.

Councilmember Scherer stated the following:

- he would like to get a funding measure in place that will allow the community to make a statement on the ballot on whether they support a modern aquatic center at Del Oro High School
- the current state of the pool is old, worn out, a bandage patch won't work anymore, the heater and equipment are failing, and it's too expensive
- we have a generous contribution of a million dollars with matching funds and \$200,000 have been already raised
- it is important that the Town helps with this for the community
- there is a timeline in order to get an initiative on the November ballot and one that would cover the High School attendance area

Rick Angelocci, Town Manager, stated the following:

- Supervisor Jim Holmes suggested contacting SCI consultants who can help get a bond pass
- the polling could cost up to \$25,000
- the initiative writing could be another \$25,000
- the public outreach could run up to \$10,000, these are ball park figures

Dave Horsey, Placer Union High School District Superintendent, stated the following:

- in the plans is a therapy pool and they have made contact with Sutter Roseville
- prior to 2006 they were bringing in about \$2,000,000 in development fees and those fees kept these types of things afloat, now the District brings in a little under \$300,000
- the District will have the ownership of maintaining the pool
- he supports an initiative but this would not be the schools, the Del Oro High School attendance area is not feasible

Dave Obert 5150 Val Verde Road, stated the following:

- he has been a water polo coach for the past five years
- the Del Oro pool is in the bottom 5% of the pools in the country
- no visiting teams will come here and it is not suitable for tournaments

Marina Fiker, 6102 Morgan Place, stated she is nine years old, has been on the Loomis Dolphins for five years, she would like to swim in Loomis for many years to come and asked for Council's support.

Brandon Touie, 8235 Granada Lane, suggested asking the Loomis School District to help with this.

Bruce Hastie, 917 Palm Way in Sacramento, stated the following:

- he is the Program Director and Head Coach for the Sacramento Water Polo
- they use the Sierra College pool right now
- if the pool is allowed to die at Del Oro High School than there will be no more aquatics there, the kids will not travel
- Del Oro has 30+ kids in the program and the Women's Polo is one of the most recognized in the area

Thor Kamphefner, 4235 Moss Lane in Granite Bay, stated the following:

- he doesn't like to run, he likes to swim, the Del Oro pool is the place to go
- since he was small he looked forward every summer to swim in the Del Oro pool
- now he gets countless cuts on the pool because it is falling apart

Dan Gayaldo, Principal at Del Oro High School, stated the following:

- they appreciate all of the support the Town has given to Del Oro High School
- he thanked Grace Kamphefner and her crew for all of the efforts towards raising funds for the pool
- over the past few years they have put thousands of dollars into the pool and it is still falling apart
- any support the Town can give to help them look for ways to make this project come true would be appreciated

Paul Johnson, 8205 Granada Lane, stated the following:

- the bathrooms also need repair, it is 40 years old
- he is in support of this project
- maybe another district needs to be created to put a ballot measure within the Del Oro school boundaries or the Loomis School District
- he would like to see this fast tracked

Jean Wilson stated the following:

- she asked Council to be aware of the fiscal realities in Loomis, we have foreclosures in this Town, a large percentage of children in the local schools are on free lunches, that tells you something about the local economy, and that needs to be taken into account
- none of the bonds for the school and fire districts passed the first time
- it's not a bad project, she is concerned that Council is trying to do this too quickly

Chris Brightbart, 1227 South Bluff in Roseville, stated the following:

- he is head coach of men's water polo at Sierra College
- their club team is now full and their waiting list is 150 kids, they have about 1000 kids in swimming lessons per summer
- they are using a 30 year old facility and they are fighting to keep their place going
- if this pool is funded and completed it will be the jewel in the area for swimming use
- he encouraged Council to help make it happen

Sonja Cupler, 5630 Tudor Way, stated the following:

- she is a Del Oro mom and a Loomis taxpayer
- she suggested including in the Measure everything at Del Oro that needs work on it at Del Oro, such as the football stadium

Dr. Terry Brown, Rocklin, stated the following:

- she is the founder and director of Sierra Health & Wellness at 6150 Horseshoe Bar Road in Loomis
- physical therapy plays a vital role for the rehabilitation of injuries and therapy pools help them recover faster
- she supports the Del Oro Aquatic Center

Russ Kelley, 4250 Barton Road, stated the following:

- It is time to take a serious look at this
- a consultant will help us make the decisions on how and when we do this
- we need to get it done before our kids leave

Pat Miller, 4395 Gold Trail Way, stated the following:

- this is a worthy project that needs to be accomplished but she agrees with Ms. Wilson's comments
- she likes the idea of having the polling done before hand but encouraged Council not to rush into it

Daneen Swenson, 3459 Reyman Lane, stated the following:

- the pool has been a big impact in her children's life
- unfortunately the school district is not able to do it
- asked if there was a way of discussing possible leasing from the school district and some other group run the whole aquatic program

Pat Brechtal, 3330 Spence Road, stated the following:

- the idea of a therapy pool would be great
- we raised a lot of money to build the football stadium
- our children need this pool to keep them here in Town
- everyone needs to get out and do fund raisers

Grace Kamphefner, Campaign Chair for the Del Oro Aquatic Center, stated the following:

- they did a program feasibility study two years ago to come up with the design for the pool
- a lot of research was done, they applied for a grant for a program feasibility study and won it
- the grant paid for part of the consulting fee and the rest was paid for out of money raised by Councilmember's Scherer's daughter
- the report gives a foundation for the projected construction and programming costs
- in the study the projected revenues are very conservative
- there is a lot of revenue to be made from the aquatic therapy side and the recreation competitive swimming (water polo, senior water aerobics, infant and toddler classes, etc.)
- we are in this for a million dollars, we have raised \$200,000 and we only need \$800,000 more to start phase one
- if we could come up with a half a million from the Town of Loomis through some bond measure this year we would be close to the phase one

Councilmember Ucovich stated the following:

- we may be putting the cart before the horse, we need to get some more information as to what a reasonable funding mechanism we can use
- he doesn't feel comfortable having this project funded mainly by the Town of Loomis, he would like to get some information on how we might fund it
- November may be way to soon to do this, we need to develop information from the general public

Councilmember Scherer stated the following:

- the staff report was thin because his intention was to ask Council if they would like to partner with the County and the School to develop that information we seek
- we are not saying do you want to put something on the ballot, but do we want to spend the money that will answer the question, what is the form that we will use in partnership with the County and the School, would it be a CSD (Community Service District) or a parcel tax assessment or a sales tax increase, etc.
- what is the mechanism that we would want to use, how much do we want to raise
- do we want to join in partnership and spend money on an attorney and a special consultant to get that information
- if we are going to do anything for November we have to have a ballot measure written and ready to go by July
- do we want to start spending money today to start defining the vehicle that we want to use

Councilmember Liss stated the following:

- asked why they didn't get the feasibility study in their report
- he is disappointed on how this has come forward and the lack of information
- he can see that it might work but he needs to see the economics laid out and the feasibility study
- the community would probably support this if it is structured right, the reasons that there were failed measures before was because they asked for too much or didn't do the homework that was necessary to do it right
- he doesn't want to see a failed ballot measure in November
- he sees the merit in moving forward if we can afford it, we need a business plan, we need the polling, we need to figure out a use agreement for the town benefits

Councilmember Morillas stated the following:

- she agrees with Councilmember Liss, she can't make a decision to spend \$25,000 tonight without knowing any more information
- we need to see what the County can do to help with this
- we need other partners in this, it is the school's pool

Mayor Calvert stated the following:

- she is in support of the pool, it is in bad shape and we need to act sooner than later
- she would like to come up with something tonight to find out exactly what it would take to get this on the November ballot
- this is urgent and has to be a priority
- plan A to get it on the November ballot, who is going to fund part of the \$25,000 and how soon can we do the polling; and if we can't do that than go to plan B address the \$800,000

Councilmember Scherer stated the following:

- we will need to hold a special meeting to deal with this issue
- we are going to need to get everyone on this Council up to speed on the same knowledge base
- he would like to work with our legal staff, all the players on this, and spend some money for a consultant to help us develop what the plan will be
- between now and the end of the month we should be able to have a special meeting and get some answers

Following further discussion on the matter, a motion was made to spend up to \$10,000 from reserves for consultant and attorney fees to look at the feasibility of putting a bond measure on a ballot and all that it encompasses; bring those options back at a regular Council meeting; and have a public workshop on April 23, 2012 with all the players involved (County and School). On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by voice vote (5/0)).

## 15. Mosquito Abatement Presentation

The Placer County Mosquito & Vector Control District has requested that the Town adopt a resolution declaring Mosquito and West Nile Virus Awareness Week to be April 22-28, 2012

**Recommended action:** Hear presentation, public comment and adopt resolution

**Public comment:**

Joel Betner, General Manager of Placer Mosquito & Vector Control District, asked for a resolution to support Mosquito Awareness Week and gave an update on potential changes that will impact their ability to serve the residents related to Clean Water Act regulation and answered questions.

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 12-09, Mosquito and West Nile Virus Awareness Week 2012. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

A motion was made to continue discussion on a letter in support of the HR872 to April 23, 2012. On motion by Councilmember Liss, seconded by Councilmember Ucovich and passed by voice vote.

## MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Mayor Calvert stated it would be in our best benefit to have a joint meeting with both MAC's and the Council.

Councilmember Scherer stated for a future item on the agenda he would like the following:

- to have an opportunity to discuss the concept of the Council having a walking workshop
- looking at some of the issues that are facing those neighborhoods
- we would need our attorney to help guide us on holding that type of meeting

## TOWN MANAGER REPORT

## COMMITTEE REPORTS

16. Placer County Community Services Commission - Morillas
17. Placer County Economic Development Board – Liss
18. Placer County Flood Control/Water Conservation District – Morillas
19. Placer County Transportation Planning Agency – Calvert
20. Placer County Mosquito Abatement – Kelley as citizen rep
21. Placer County Air Pollution Control District – Ucovich/Morillas
22. Local Agency Formation Commission (alternate) - Ucovich
23. Sacramento Area Council of Governments – Scherer/Liss
24. Placer Land Trust ex-officio representative – Scherer
25. Borders Committee – Calvert/Liss
26. Business Committee – Calvert/Liss
27. Schools Liaison - Calvert

## ADJOURNMENT

Mayor Calvert stated there was no further business and adjourned at 11:26 p.m.

  
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Mayor  
\_\_\_\_\_  
Crickett Strock